

**Camden County Board of Commissioners**

**Regular Meeting**

**October 1, 2007**

**8:00 A.M.**

**Historic Courtroom, Courthouse Complex  
Camden, North Carolina**

**MINUTES**

The regular meeting of the Camden County Board of Commissioners was held on Monday, October 1, 2007 at 8:00 a.m. in the Historic Courtroom, Courthouse Complex, Camden, North Carolina. The following members were present:

Chairman Jeffrey B. Jennings

Vice Chairman Philip Faison

Commissioners Melvin J. Jeralds, Sandy Duckwall and Mike Andrews

Also present was County Manager Randell Woodruff, Clerk to the Board Ava Gurganus, and County Attorney John Morrison.

Upon request of Chairman Jeffrey Jennings, Commissioner Philip Faison led those assembled in the invocation and Pledge of Allegiance.

**Presentation – Mark Anthony – USN – Director of Fleet Ashore Readiness - Outlaying Landing Field**

Steve Wall, Policy Analysis, NCDENR, stated several months ago when the Navy was holding hearings about five (5) sites for the proposed OLF, the public was strong in saying they wanted the State and the Navy to look at alternatives and the State and DENR felt that was a proper course, so DENR went to the Navy and said they wanted to work together to see if there was an alternative from Washington in Beaufort County, which is the Navy's preferred alternative, and has run into a lot of opposition from Federal and State officials. The State reached out to the Navy and said let's start looking at possible sites that may need further exploration. Over a period of several months the State gathered data on potential areas within the Northeast and Southeast that might make an acceptable site for an OLF. It is important to note that that assessment was done at a very general level looking at landmass, GIS data, basically looking for large tracts of land where there was little population, trying to minimize impact to communities and trying to look at areas where there would be little wildlife impact as well. What the State ended up with was looking at timberland in the southeastern part of the state, the Hoffman forest site which is owned by NC State. The State turned over those sites to the Navy and said here are some of the areas that the State was looking at as possibilities. The State did not endorse or recommend the sites, but that the sites might be in need of further evaluation. This is the status now. The State is in the process of trying to figure out if any of the sites should move forward and get a detailed analysis. Governor Easley activated the OLF Study Task Force and the six (6) sites were revealed and that was the first time the study group had heard about any of these sites, the study group have not endorsed, have not recommended nor prioritized these sites but will spend the next few weeks meeting, gathering more information and trying to make a determination as to what kind of input they are going to provide up the ladder to Governor Easley and the Secretary of the Navy as to if any of these new six (6) sites should get consideration. Then the Secretary of the Navy will make the decision as to whether any of these new six (6) sites will get a further detailed analysis that will take about twelve (12) to eighteen (18) months. The Navy has already done a full environmental impact study of five (5) sites. The study group is looking at the new six (6) sites to see if those sites deserve further scrutiny and more analysis by the Navy. The Navy will be the ultimate decision maker in looking at the new six (6) proposed sites in North Carolina and eleven (11) sites in Virginia. By mid-November the Secretary of the Navy will make a decision on whether the sites from North Carolina or Virginia should go into the pipeline and get a full environmental analysis. When the Secretary of the Navy makes that decision, some of these six (6) new sites will fall off the table while others may be considered further and that further

consideration will include public comments and public hearings. The Chairman of the Study group is Judge Eagles and that the study group plans on meeting three (3) more times to try to get input to provide to the Secretary of the Navy and one of those meetings will be in Northeastern North Carolina in the middle of October.

Mark Anthony, United States Navy Director of Fleet Ashore Readiness, presented maps of two (2) proposed sites and discussed why the Navy needs the OLF. An OLF is an Outlying Landing Field for the Super Hornet F/A-18E/F. There will be 144 airplanes between North Carolina and Virginia and it is the only airplane that will land at this OLF facility. The facility will have approximately 14,000 operations; comes down, touches and takes off again. The OLF will be utilized on the average 1-1/2 hours on 365 days and 70% of those operations will be at dusk. The Navy is restricted to use the OLF for 14,000 operations per year. The runway is 8,000 feet long with a small control tower and a few support facilities. It will encompass a 2,000 or less core acre site; 1 mile in width by 3 miles in length. There are two (2) sites in Camden County that are being considered for feasibility. Outside the core area there will be an impact zone of another 11,000 acres. No residents or homes will be inside the 11,000 acres.

USN Commander Rich Catoire provided a web address for more information: [www.olfseis.com](http://www.olfseis.com). There are twenty seven (27) original sites in North Carolina and South Carolina that met the minimum criteria. Nineteen (19) of those sites were in the Oceana/Cherry Point area. Those sites were narrowed down to six (6) sites: Perquimans County, Bertie County, Hyde County, Washington-Beaufort County and Craven-Beaufort County with an additional site in South Carolina.

Commissioner Mike Andrews asked Commander Catoire to explain the decimals levels compared to a train going by.

Commander Rick Catoire stated a vacuum cleaner is 70 decimals, a lawnmower is 80 decimals, a Super Hornet F/A-18E/F flying overhead and with a person within 600' will be approximately 110 decimals, which compares to sitting front stage at rock concert.

Attorney John Morrison asked what kind of noise the courthouse area would hear if the Navy selected the Hales Lake site.

Commander Rick Catoire stated that if the jets were overhead at this time of day and if you were in this building, you may hear them or you may not, depending on the sound level outside, you would hear something. Commander Rick Catoire estimated a 65 decimal noise level and you would hear them but you would be able to talk.

Attorney John Morrison asked if the noise level was loud enough to keep people away, to which Commander Rick Catoire replied, no.

Attorney John Morrison stated that Commander Rick Catoire indicated that if a citizen was inside they may or may not hear the jet noise; if they were outside they would hear it, and would the jets interfere with an outside conversation, to which Commander Rick Catoire replied, no.

Attorney John Morrison stated that Camden County was very surprised to learn that Camden was on the Governor's list and there was no contact with the county whatsoever. Mr. Morrison further asked did the Governor volunteer to offer sites to the Navy or did the Navy request the Governor's office submit sites. How did all that come about?

Commander Rick Catoire stated that as result of the issues they received from the public comments in March and April 2007, which was for the Navy to work with the State to look for alternative sites and as Mr. Wall mentioned the State came forth with these sites and asked the Navy to take a look at these sites as additional alternatives.

Attorney John Morrison asked if the sites were generated by the Governor's office and not the Navy, to which Commander Rick Catoire stated, yes.

Commissioner Sandy Duckwall inquired if the Camden County would have to provide emergency services and asked if there would be any ramps at the site.

Commander Rick Catoire stated no regarding the emergency services and no regarding the ramps because it is only for take off and landings.

Commissioner Sandy Duckwall asked if the Navy had identified any items in the safety zone such as towers.

Commander Rick Catoire stated that all the sites have advantages and disadvantages.

Commissioner Mike Andrews asked how much impact the schools and farms would have.

Commander Rick Catoire stated the Navy takes a look at the impact on churches, schools, hospitals and there are no schools in the noise impact area, but there are churches within the noise zone. Seventy percent (70%) of the operations are flown after dark so most schools are closed. The impact to farmers is part of a larger study that would be performed and also look at what crops that would not attract migratory water fowl.

Commissioner Mike Andrews inquired how the OLF would affect Blackwater regarding a controlled air space.

Commander Rick Catoire air space is usually set aside for military training and unless you do not have a reason to enter the controlled air space then you do not go in there. Controlled air space means that there is a tower operating and if someone wants to go in that air space then they would need to call the tower and coordinate when or when they could not come through. The tower only operates when the field is operating and it is not that someone could not go in there, but only coordinate with the tower to go in the air space.

Commissioner Mike Andrews asked about crop dusters.

Commissioner Rick Catoire stated that would be worked out with the crop dusters regarding when they needed to do their operations.

County Manager Randell Woodruff asked what Blackwater USA offered to do to assist the Navy with the proposed site near Blackwater USA.

Commander Rick Catoire stated there is nothing Blackwater USA can do to assist the Navy.

County Manager Randell Woodruff stated that he understood from his previous conversation with the Navy that Blackwater supports this site and has been in contact with the Governor's office six (6) months prior to the County becoming aware of this proposed site. Has Blackwater USA asked that the Navy locate the OLF there and have they offered to do things for the Navy?

Commander Rick Catoire stated no, and further stated that there is nothing that Blackwater can do for the Navy. The Navy has to go through the process. Commander Rick Catoire stated that the Navy has to own approximately 2000 acres in the core area air field and that will be the fence line.

County Manager Randell Woodruff asked since their conversation last week, has the Navy done any research regarding how the two (2) proposed sites in Camden would impact the Northwest Naval annex, to which Commander Rick Catoire stated that is not a concern.

County Manager Randell Woodruff asked if the noise factor would not interfere with their operation, to which Commander Rick Catoire replied, no.

County Manager Randell Woodruff stated in regards to the landfill facility if the bulldozer operations at the landfill would create noise and interfere with their ability to monitor their operations.

Commander Rick Catoire stated he could not address the bulldozer.

Commissioner Mike Andrews asked if there were height limitations for towers near the proposed sites.

Commander Rick Catoire stated obstructions at the site would be an issue and even tree lines have to be a certain height as there is a clear zone for approach and departure. The six (6) sites in North Carolina do not have any obstruction issues. The Navy meets with County Planners to see if there would be any concerns for the future.

Commissioner Philip Faison asked for five (5) advantages the OLF would be for the county.

Commander Rick Catoire stated that the advantages and disadvantages are in the eye of the beholder. It brings economic impact with the construction for two (2) years. The Navy will have to go outside to seek bids for the normal bidding process. There are fifty two (52) permanent jobs, set aside land forever for conservation of timber or endangered species, and pay for devaluation of property.

Commissioner Philip Faison is there any reason why the Navy can't bring an aircraft carrier out of retirement instead of constructing and OLF.

Commander Rick Catoire stated it goes to the basics of what the training requirements are. To be qualified and current to land on an aircraft carrier, you have to make that landing within the last thirty (30) days, otherwise the pilot has to go back for refresher training. The OLF is for training so pilots can safely land on the aircraft carrier. The pilots train on land to qualify to go out to sea to land on an aircraft carrier.

Commissioner Mike Andrews asked if the proposed OLF would turn into a master jet base.

Commander Rick Catoire stated that Oceana is the master jet base for the east coast for the foreseeable future.

County Manager Randell Woodruff stated he would encourage him and the Navy to do research on Camden County and meet with the County staff to explain the county's financial situation and how the county operates because the county operates solely on residential and farm based property taxes.

Chairman Jeffrey Jennings referred to the averages of 1-1/2 hours per day of operations, 365 days per year and asked how much time the landing field would be used at a maximum everyday.

Commander Rick Catoire stated that the Navy needs 365 days 24 hours a day availability for use, so it will be used all day for that 24 hours.

Chairman Jeffrey Jennings stated there would be 2000 acres of core area for landing strips, and another 11,000 acres minimum of controlled land space; would the Navy control the easements on the 11,000 acres of land space.

Commander Rick Catoire stated yes, the Navy would not want any residents in the 11,000 acres of air space. The Navy would control the easements out to the 60 DNL, roughly 27,000 to 30,000 acres.

Chairman Jeffrey Jennings stated at a farming standpoint, at any time the Navy is in control of an easement, the Navy could change the contour of that farming at any time.

Commander Rick Catoire stated that the way the easement works is the Navy will come in and based on what the analysis says if there is an issue on what is being farmed, the Navy looks at that up front and say what is required and what can or can not be planted in that area, how it impacts the farmer and then the Navy pays the farmer not to farm or develops the property for residential use.

Chairman Jeffrey Jennings stated that at any time, at some point, after the OLF is built and the crop becomes a problem, the Navy can tell the farmer not to grow that crop.

Commander Rick Catoire stated the easement would have to be made up front and the study is to make sure that the Navy gets the easements right the first time because once the requirements are set, they are set.

Commissioner Melvin Jeralds asked how much money has the government invested in purchasing property for the Washington County site.

Commander Rick Catoire stated the Navy purchased 27,000 acres at approximately \$2,500.00 an acre.

Commissioner Melvin Jeralds asked if Washington County is still being considered as a site.

Commander Rick Catoire stated yes, and that Washington County is the preferred alternative but are working with the States of North Carolina and Virginia to see if there are alternative sites available that may provide less impact on the local communities and wildlife.

### **Public Comments**

Roger Lambertson, 162 Sand Hills Road, spoke in opposition of the OLF.

Richard Browner, 131 Dances Bay Road, asked that noise contour lines be provided on the site overlays, asked for property appraised values in the proposed areas, cautioned regarding the detriment to US 17 corridor, and spoke in opposition of the OLF.

Robert Knobles, 134 Heritage Drive, stated he rather have the OLF than the landfill, and cautioned regarding the noise as far out as three (3) miles.

Jack Mansfield, 831 North 343, spoke in opposition of the OLF.

Melvin Albertson, 173 North 343, spoke in opposition of the OLF.

### **Consideration of Agenda**

Chairman Jeffrey Jennings added *Item 13. Closed Session – Personnel* and *Item 7. New Business, D. OLF Resolution.*

Commissioner Sandy Duckwall made a motion to approve the agenda as amended. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

### **Consent Agenda**

Commissioner Melvin Jeralds made a motion to approve the consent agenda. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

- **(Consent Agenda)**

- **September 17, 2007 Special Meeting Minutes**

- **September 17, 2007 Regular Meeting Minutes**
- **September 19, 2007 Special Meeting Minutes**
- **Tax Refunds, Releases & Pick Ups**

Ben Parker	\$172.33	Release	Incorrect Value	9405
	\$ 36.48	Pick Up		
	\$135.85	Adjustment		
Clinton Hurdle	\$1,095.48	Release	House Depreciation	9375
	\$1,369.19	Pick Up		
	-\$ 273.51	Adjustment		
Fred Upton Jr.	\$1,595.71	Release	House Depreciation	9382
	\$2,142.02	Pick Up		
	-\$ 546.31	Adjustment		
State Emp Credit	\$4,035.90	Release	Incorrect Equipment	9412
	\$119.44	Pick Up		
	-\$3,916.46	Adjustment		
H.T. Mullen	\$2,996.56	Release	Not complete	9381
	\$2,510.84	Pick Up		
	-\$485.72	Adjustment		
Wayne Kallicharan	\$1,054.30	Release	No House as of 1/1	9395
	\$205.20	Pick Up		
	-\$849.10	Adjustment		
Robert Holton	\$2,572.48	Release	Not complete	9380
	\$2,145.48	Pick Up		
	-\$427.00	Adjustment		
Sprint Nextel	\$3,944.22	Release	Overcharged	9384
	\$183.93	Pick Up		
	-\$3,760.29	Adjustment		
Prayer, James & Trunella	\$652.20	Release	Listed as Real	9362
	\$258.94	Pick Up		
	-\$393.26	Adjustment		
Us Bancorp Equip	\$281.49	Release	Listed in Pasquotank	9378
	\$ 44.36	Pick Up		
	-\$237.13	Adjustment		
Sprint Nextel	\$,2741.46	Release	Overcharged	9385
	\$223.01	Pick Up		
	-\$2,518.45	Adjustment		
Terry Rose	\$11,435.00	Release	Does not own	9370
	\$7,800.00	Pick Up		
	-\$3,635.00	Adjustment		
Raymonds Creek Landing Co.	\$1,726.58	Release	Reval Adjustment	9371
	\$17.89	Pick Up		
	-\$1,708.69	Adjustment		
Lena McDonald	\$769.58	Release	Transferred	9397
Stacey Riggs	\$568.56	Release	Double Lister	9391
Kendall Greene	\$239.40	Release	Incorrect Transfer	9421
CPM Development	\$2,236.03	Release	Incorrect Transfer	9419
Thomas Wood	\$11,320.00	Pick Up	Name Correction	9365
William McDonald	\$769.58	Pick Up	Transferred	9398
Kenneth Daniels	\$295.85	Pick Up	Listed in Pasquotank	9349
Harris Underground	\$259.80	Pick Up	Late Listing	9418
Eugene Lovitt III	\$239.40	Pick Up	Purchased from BB&T	9422
Kendell Greene	\$2,236.03	Pick Up	Purchased from CPM	9420
Lisa Edwards	\$146.55	Pick Up	Listed in Wrong Co	9389
Vera Mitchell	\$119.61	Pick Up	Listed in Wrong Co	9321

- **Authorization to Collect – June Renewals**

**STATE OF NORTH CAROLINA****COUNTY OF CAMDEN**

**TO:** The Tax Administrator of Camden County (June Ren. Due 10/01/2007)

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Tax Administrator and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon personal property of the respective taxpayers in the County of Camden, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell personal property of such taxpayers for and on account thereof, in accordance with the law.

<b>SOUTH MILLS</b>	<b>COURTHOUSE</b>	<b>SHILOH</b>	<b>TOTAL</b>
<b>27,472.36</b>	<b>29,910.36</b>	<b>17,896.19</b>	<b>75,278.91</b>

Witness my hand and official seal this 1<sup>st</sup> day of October, 2007.

Chairman, Camden County Board of Commissioners

Attest:

Clerk to the Board of Commissioners of Camden County

This is to certify that I have received the tax receipts and duplicates for collection in the amounts as listed herein.

Tax Administrator of Camden County

• **Budget Amendment – 2007-08-BA003**

2007-08-BA003  
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2008.

Section 1. To amend the General Fund as follows:

ACCT NUMBERDESCRIPTION OF ACCT	AMOUNT	
	INCREASE	DECREASE
Revenues:		
10330590-434803 DOT Grant	\$11,538.00	
Expenses:		
105900-592000 ICPTA	\$11,538.00	
Additional funds received from State.		

This will result in a decrease of \$ 0.00 in the Contingency of the General Fund.

Balance in Contingency \$71,464.00

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 1<sup>st</sup> day of October, 2007.

Clerk to Board of Commissioners

Chairman, Board of Commissioners

• **Budget Amendment – 2007-08-BA004**

2007-08-BA004  
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2008.

Section 1. To amend the General Fund as follows:

ACCT NUMBERDESCRIPTION OF ACCT	AMOUNT	
	INCREASE	DECREASE
106200-502000 JCPC Salaries		\$2,464.00
106200-503000 JCPC Part-Time Salaries	\$2,464.00	

JCPC Coordinator resigned. Some of her duties were performed by part time camp workers using extra hours.

This will result in a decrease of \$ 0.00 in the Contingency of the General Fund.

Balance in Contingency \$71,464.00

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 1<sup>st</sup> day of October, 2007.

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Clerk to Board of Commissioners

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Chairman, Board of Commissioners

• **Budget Amendment – 2007-08-BA005**

2007-08-BA005  
CAMDEN COUNTY BUDGET AMENDMENT

BE IT ORDAINED by the Governing Board of the County of Camden, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2008.

Section 1. To amend the General Fund as follows:

ACCT NUMBER	DESCRIPTION OF ACCT	AMOUNT	
		INCREASE	DECREASE
106600-509000	Worker’s Comp	\$4,859.00	
109990-500000	Contingency		\$4,859.00

The 2006-2007 Worker’s Comp audit has been completed and \$4,859 additional premium is due.

This will result in a decrease of \$ 4,859.00 in the Contingency of the General Fund.

Balance in Contingency \$66,605.00

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 1<sup>st</sup> day of October, 2007.

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Clerk to Board of Commissioners

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Chairman, Board of Commissioners

- **Set Public Hearings**
  - Ordinance No. 2007-10-01 – Rezoning Application – Tracy Swain – UDO 2007-07-30 for October 15, 2007
  - Set Public Hearing – Ordinance No. 2007-10-02 – Rezoning Application – Camden County – UDO 2007-09-21 for October 15, 2007
  - Set Public Hearing – Special Use Permit Application – UDO 2007-08-09 – Home Occupation – Zackery Gravely for October 15, 2007
  - Set Public Hearing – Special Use Permit Application – UDO 2007-08-15 – Special Events – Ted & Brenda Nash for October 15, 2007
  - Set Public Hearing – Special Use Permit Application – Camden County - UDO 2007-09-20 – Telemetry Towers (Sewer) for October 15, 2007

• **Letters of Thanks to Knights of Columbus and Boy Scout Troop**

(End of Consent Agenda)

**Old Business - Economic Advancement Committee (EAC)**

Planning Director Dan Porter stated that the Planning Board recommended Terri Griffin and Rodney Needham for the EAC.

Commissioner Andrews requested that Commissioner Sandy Duckwall serve and Commissioner Sandy Duckwall agreed to serve on the EAC.



Chairman Jeffrey Jennings stated that Commissioner Mike Andrews would sit as the Chair, and the EAC would also consist of Planning Director Dan Porter, and County Manager Randell Woodruff.

Chairman Jeffrey Jennings recommended Charlotte Underwood.

Commissioner Mike Andrews recommended Roger Lambertson.

Commissioner Sandy Duckwall recommended Larry Johnson.

Commissioner Philip Faison recommended Gene Linstrom.

Commissioner Mike Andrews made a motion to increase the citizens on the EAC from two (2) to four (4). The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Commissioner Mike Andrews made a motion to accept the recommendations of Charlotte Underwood, Roger Lambertson, Larry Johnson, and Gene Linstrom. The motion passed with Commissioners Philip Faison, Sandy Duckwall and Mike Andrews voting aye; Commissioner Melvin Jeralds and Chairman Jeffrey Jennings voting no; no Commissioner absent; and no Commissioner not voting.

#### **Old Business - Register of Deeds Bid Recommendation**

County Manager Randell Woodruff stated that since the bid openings on September 14, 2007, the committee has met twice to review and consider all the bids that were received regarding the Register of Deeds project.

Attorney John Morrison stated the lowest numeric bidder is a company named SEVAC. They are the low bid by approximately \$30,000.00. They appear to be a competent company or experienced in this area. However, one of the requirements for bid was that the bidder furnish the subcontractors, heating/air, etc., that was set forth in the bid requirement. It is also set forth in the statute. At the time the bids were received from everyone, SEVAC had not met that requirement. Subsequently, staff called and a week later the county received the information. It did not change SEVAC's bid. The law requires the Board to accept a bidder that is both a responsive and a responsible bidder. The law further provides that although there is a presumption that the lowest numeric bidder should get the job, that the county is not bound by that by making the determination who is the most responsible bidder. If the county has sound tangible reason, the county can go to the next numeric bidder. This case is somewhat more troubling than that because SEVAC did not submit requirements of the bid. Mr. Morrison stated he contacted the Institute of Government and he is of the opinion that this may well give a material advantage to the low bidder that other bidders did not have and it is a rock bed foundation of the law that the purpose of competitive bidding is that everybody gets an equal shot and the idea is to end up with the lowest bid. This is not a minor deviation. There is no case law that says in this particular event, that the County should not take or should take it into account as being noncompliant. The law says that if the County accepts bids in such a manner that it could be construed as giving an unfair competitive advantage, then that is prohibited. This was a statutory requirement, a requirement of the bid itself and for that reason the County Attorney recommended that the County make the appropriate findings of fact that SEVAC would not be the eligible recipient of this contract.

County Manager Randell Woodruff recommended McKenzie Construction Company in the amount of \$606,281.00, including the alternate bid for drainage, which was the next lowest responsive bidder.

Attorney John Morrison stated that the county has to have a responsible bidder which is one that is capable of doing the work and the county must have a responsive bidder which is one that has complied with the bid instructions. Mr. Morrison advised the Board that it was within the Board's authority to reject all bids.

Chairman Jeffrey Jennings asked if the contract was awarded to McKenzie, when would they begin the project.

County Manager Randell Woodruff replied they would be able to start this year.

Commissioner Melvin Jeralds asked where the additional revenue would be taken.

County Manager Randell Woodruff stated the money would be taken from the capital reserve fund.

Commissioner Philip Faison made a motion to award the Register of Deeds expansion project contract to McKenzie Construction Corporation. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

Attorney John Morrison recommended to the Board that since the Board did not accept the lowest numeric bidder, that the report given by Mr. Morrison be adopted into the minutes and that Mr. Morrison be authorized to make a synopsis of that report, which would become the Board's report and that be placed into the minutes of this bid opening.

Hearing no objections, Chairman Jeffrey Jennings so ordered Mr. Morrison's report to be adopted into the minutes, which reads as follows:

NORTH CAROLINA  
CAMDEN COUNTY

IN RE: SELECTION OF MOST RESPONSIVE AND RESPONSIBLE BID – REGISTER OF  
DEEDS RENOVATION

The Camden County Board of Commissioners at its regularly scheduled and advertised Monday, October 1, 2007 session, considered proffered bids on the Camden County Register of Deeds renovation project. Inasmuch as the lowest numeric bid was not accepted, the Board makes the following explanatory findings of fact:

1. The request for bids was properly advertised as by law required with noted specifications.
2. The bid process was conducted pursuant to North Carolina General Statutes 143-128 and 143-129 in order to ensure a competitive process for the benefit of the people of Camden County.
3. The request for bid instructions specifically required that the single prime bidders identify in their bids subcontractors selected for HVAC, plumbing, electrical, and general.
4. The lowest numeric bids received were SEVAC - \$589,000; Waldt - \$583,000; McKenzie - \$606,281.
5. Neither SEVAC or Waldt supplied with their original bid the subcontractor information which is required not only by the bid documents, but by N.C.G.S. 143-128.
6. However, SEVAC did upon request of the County, approximately a week or more later, submit this information.
7. The Board of Commissioners and the staff carefully considered this perceived defect and whether or not it was subject to waiver. In particular, the County Attorney contacted the Institute of Government for advice and did independent research on his own, including review of applicable statutory and appellate authorities.
8. After advice from staff and the County Attorney, this Board is of the opinion that the lowest two numeric bids were not responsive, could give an unfair competitive advantage to these bidders and accordingly, are in violation of both the request for bid and the controlling statute and appellate decisions.
9. Accordingly, for the reasons stated herein, the two lowest numeric bids are rejected and the lowest responsive and responsible bid is that of McKenzie, which is hereby accepted by this Board.

#### **Comprehensive Planning – Lee Padrick – Dept of Community Assistance (DCA)**

Commissioner Sandy Duckwall made a motion to approve working with DCA to perform a comprehensive plan for Camden County, at no charge to the county except for travel expenses incurred for employees of DCA during the planning. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**Memorandum of Understanding (MOU) for Cooperative, Comprehensive and Continuing Transportation Planning and the Establishment of a Rural Transportation Planning Organization**

Adrian Cox, Planner, Albemarle Rural Planning Commission explained and reviewed the MOU.

Commissioner Philip Faison made a motion to approve the Memorandum of Understanding (MOU) for Cooperative, Comprehensive and Continuing Transportation Planning and the Establishment of a Rural Transportation Planning Organization. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**Personnel - Job Descriptions**

Commissioner Mike Andrews made a motion to approve the job descriptions and grade levels for Public Works Manager, Grade Level 71; Wastewater Supervisor, Grade Level 67; Sewer Maintenance Worker, Grade Level 56, and Elections Specialist, Grade Level 54 as recommended by the Personnel Technician. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**OLF Resolution**

Commissioner Mike Andrews made a motion to approve a Resolution against the OLF and requested a roll call vote.

Chairman Jeffrey Jennings called upon the Clerk to take a roll call vote.

Commissioner Mike Andrews: *This is for the record. I fully understand and support the Navy's needs for a new OLF site. I myself am a Navy veteran and my father was a Naval Aviator and once stationed at Oceana. Camden County is a rural community with little revenue producing base and we are a county of families whether we have been here one year or generations. My concerns are for our people and those that are here now and how this will impact their lives and future generations. Mr. Chairman, I vote for the Resolution.*

Commissioner Philip Faison: *I vote for the Resolution.*

Chairman Jeffrey Jennings: *Yes.*

Commissioner Melvin Jeralds: *Yes.*

Commissioner Sandy Duckwall: *Yes.*

Clerk to the Board: *Mr. Chairman, the motion passed unanimously.*

Approved Resolution No. 2007-10-01 reads as follows:

**Resolution No. 2007-10-01**

**RESOLUTION BY THE COMMISSIONERS OF CAMDEN COUNTY, NORTH CAROLINA  
RELATING TO THE SITING OF A NAVY OUTLYING LANDING FIELD IN CAMDEN  
COUNTY**

WHEREAS, Governor Easley formed a study group charged with examining and reporting on the strategic, environmental and economic impacts of the proposed Navy outlying landing field (OLF) in North Carolina in February of 2004; and

WHEREAS, the Navy and the North Carolina Department of Environment and Natural Resources have proposed four new potential OLF sites in Northeast North Carolina to the Governor's OLF Study Group on September 19, 2007; and

WHEREAS, the Navy reported to the OLF Study Group that the proposed OLF would be used primarily by aircraft stationed at Oceana Naval Air Station at Virginia Beach, VA and at Cherry Point Marine Corps Air Station at Havelock, NC; and

WHEREAS, these new proposed sites are in addition to other Northeast North Carolina sites identified and studied in 2001 for consideration by the Navy; and

WHEREAS, this OLF would be in operation 24 hours a day for 365 days of the year with 40 landings per day and approximately 13,600 landings per year; and

WHEREAS, the noise associated with these landings and take-offs of F/A-18E/F Super Hornet aircraft is just below the “Threshold of Pain” according to previously Navy supplied documents; and

WHEREAS, Northeast North Carolina and Camden County would not recognize any benefits from an OLF at any of the previously identified or newly proposed sites; and

WHEREAS, Northeast North Carolina and Camden County would only receive detrimental impacts on our citizens should an OLF be located in the region.

NOW, THEREFORE, BE IT RESOLVED, the Camden County Board of Commissioners opposes locating a new outlying landing field in Camden County or in Northeast North Carolina;

AND BE IT FURTHER RESOLVED, the Camden County Board of Commissioners requests more representatives from the counties of Perquimans, Chowan, Currituck, Gates, Hertford, Pasquotank, and Camden on the Governor’s OLF Study Group.

Adopted this the 1<sup>st</sup> day of October, 2007.

(SEAL)

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Jeffrey B. Jennings, Chairman  
Camden County Board of Commissioners

ATTEST:

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Ava Gurganus  
Clerk to the Board

**Appointment - Local Firemen’s Relief Board Fund Trustees -South Mills Fire District**

Commissioner Melvin Jeralds made a motion to appoint Ray Albertson and Michael Whitehurst as trustees to the Local Firemen’s Relief Board Fund for the South Mills Fire District. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

**County Manager’s Report**

County Manager Randell Woodruff reported on the following:

- Work stoppage on jail project
- School project on schedule - school will be occupied by January 21, 2008
- Wastewater Treatment Plant on schedule

**Other Matters**

Commissioner Mike Andrews asked the County Manager the status of video taping the meetings and stated he had been approached by a citizen who would donate \$5,000.00 toward video taping the meetings.

Attorney John Morrison stated he would investigate if the county should let this out for bid.

**Closed Session**

Commissioner Philip Faison made a motion to go into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of consultation with attorney and pursuant to G.S. 143-318.11(a)(6) for the purpose of discussion personnel. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners entered closed session at 9:57 a.m.

Commissioner Philip Faison made a motion to come out of closed session and back into regular session. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

The Commissioners re-entered regular session at 11:55 a.m.

**Adjournment**

There being no further business at this time, Commissioner Melvin Jeralds made a motion to adjourn the meeting. The motion passed with Commissioners Melvin Jeralds, Sandy Duckwall, Philip Faison, Mike Andrews and Chairman Jeffrey Jennings voting aye; no Commissioner voting no; no Commissioner absent; and no Commissioner not voting.

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Jeffrey B. Jennings, Chairman  
Camden County Board of Commissioners

ATTEST:

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Ava J. Gurganus  
Clerk to the Board